

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF  
CHARLES WAYNE SMITH  
Debtor

)  
)  
)  
)  
)

CASE NO. 10-10300  
CHAPTER 13

---

PRE-CONFIRMATION  
MATERIAL MODIFICATION OF CHAPTER 13 PLAN

---

Comes Now the Debtor, Charles Wayne Smith, by counsel, William E. Harris, and for his Pre-Confirmation Material Modification of Chapter 13 Plan states as follows:

1. Debtor's Chapter 13 Plan filed February 3, 2010 shall be modified to provide for increased monthly plan payments in the amount of \$1,804.53 per month with a minimum of \$303.89 per month allocated to general unsecured creditors. Total Plan payments: \$108,271.80 with a minimum of \$18,233.40 to general unsecured creditors.

2. Debtor's 2<sup>nd</sup> mortgage with American General Finance was secured at one time, but is herein stripped and voided as the value of the Creditor's interest in the collateral, home and real estate located at 606 Glenfield Dr., Fort Wayne, IN 46825, is \$0.00. The secured status of American General Finance's claim shall be, upon discharge, completely stripped away by §506(f) and, pursuant to §1327(c), the following property shall be free and clear of all said pre-petition liens listed below.

Lot Number 85, Stonefield, Section 1, Phase IV, According to the Plat thereof, recorded in Plat Cabinet C, Page 130 and as document number 96-58943 in the office of the Recorder of Allen County, Indiana. More commonly known as: 605 Glenfield Drive, Fort Wayne, IN 46825

Lien Holder:	American General Finance
Account #:	45890733
County Recorded:	Allen County
Mortgage date:	11/06
Mortgage amount:	\$17,000.00

3. Debtor's arrears owed to his first mortgage holder, Bank of America, in the amount of \$1,038.08 (Pursuant to Claim filed), shall be cured by monthly payments by the Trustee.

4. The Allen County Treasurer shall be paid as a secured claim in the amount of their proof of claim, once filed.

5. In all other respects the aforementioned Chapter 13 Plan shall remain as originally filed on February 3, 2010.

BY: William E. Harris  
William E. Harris, #7496-02  
Attorney for Debtor  
P.O. Box 182  
Harlan, IN 46743  
Telephone: (260) 413-2136

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Pre-Confirmation Material Modification to Chapter 13 Plan was sent by either electronic filing or United States mail, first class postage affixed, to U.S. Trustee @ [ustpreion10.so.ecf@usdoj.gov](mailto:ustpreion10.so.ecf@usdoj.gov) and Debra L. Miller @ [dmecl@trustee13.com](mailto:dmecl@trustee13.com) on the 17th day of November, 2010.

William E. Harris  
William E. Harris